

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America)	Cr. No. 5:96-748-MBS
)	
v.)	
)	
Eric Lee Felder,)	OPINION AND ORDER
)	
Defendant.)	
)	

This matter is before the court on Defendant Eric Lee Felder's motions to correct sentence under 28 U.S.C. § 2255, which motions were filed on March 28, 2016 and June 22, 2016. Defendant argues that in light of the Supreme Court's holdings in Johnson v. United States, 135 S. Ct. 2551 (2015), and Welch v. United States, 163 S. Ct. 1257 (2016), he no longer qualifies as an armed career offender and his sentence should be vacated. On May 26, 2016, the government filed a response in which it took no position regarding Defendant's Johnson claims.

The court **grants** Defendant's motions for relief under 28 U.S.C. § 2255. ECF Nos. 55, 63. The judgment order in the within action entered June 4, 1997, is **vacated**, and this matter will be set for resentencing. A notice of hearing will be issued separately.

IT IS SO ORDERED.

/s/ Margaret B. Seymour

Senior United States District Judge

Columbia, South Carolina

June 29, 2016